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2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/973,953 Confirmation No. : 5831
First Named Inventor : Jan BYRLA
Filed : October 11, 2001
TC/A.U. : 3676
Examiner : Gary Estremsky
Docket No. : 225/50478
Customer No. : 23911
Title : Vehicle Having a Luminous Unlocking Handle and
Method of Making Said Handle

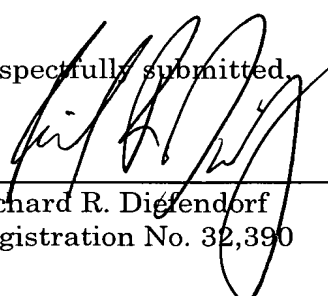
REQUEST TO WITHDRAW FINALITY OF OFFICE ACTION
DATED NOVEMBER 8, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is submitted that the Office Action dated November 8, 2004 is improperly made final. In section 21 on page 14 of the prior Office Action dated May 5, 2004, the Examiner states that claims 23 and 24 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 23 and 24 were rewritten in this manner in the Reply filed July 30, 2004, and the new rejections of claims 23 and 24 set forth in sections 5 and 7 on pages 4-7 of the Office Action dated November 8, 2004 were neither necessitated by the amendment to those claims nor based on information submitted in any information disclosure statement. It follows that the Office Action dated November 8, 2004 is improperly made final under the provisions of MPEP 706.07(a), and it is requested that the finality of that Office Action be withdrawn.

Respectfully submitted,


Richard R. Diefendorf
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Date: February 10, 2005

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REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply is filed in response to the Office Action dated November 8,
2004, and together with a request to withdraw the finality of that Office Action.